

REMARKS

Independent claim 1, 5-12, 18, and 21 have been amended. Dependent claims 2-4, 13, and 14 have been canceled. Thus, claims 1, 5-17, 19, 20 and 22 are pending in the present application.

Claim objections

The Examiner objected to claims 4, 5, 8, 15, and 18 as being in improper form. With respect to claims 4 and 18, Applicants either amended or canceled these claims. With respect to claims 5, 8, and 15, Applicant respectfully disagrees. These claims have been amended in the preliminary amendment and are in proper form. These claims do neither contain an improper multiple dependency nor are they referring to an improper claim.

Claim 21 was not objected to but contained an improper multiple dependency which Applicants amended in this response.

Claim rejections 35 USC §102

The Examiner rejected claims 1-3, 6-7, 9-14, 16-17, and 19-21 under 35 U.S.C. 102(e) as being anticipated by Kretschmann. Applicant amended independent claim 1 to include further limitations to distinguish the present application from the cited prior art. According to the present invention a system comprises of a plurality of automation components each being designed to be capable of wireless communication with a handheld or mobile device. The handheld or mobile device communicates with these automation components and displays all automation components on the handheld device wherein each is represented by a symbol. Furthermore, the system calculates by means of the communication process which automation component is closest to the operator of the handheld device and indicates this automation component by means of a predetermined symbol or by highlighting.

Kretschmann discloses a different concept for an automation system which does neither include or suggest this limitation. The Examiner stated with respect to former claim 14 which included the feature of highlighting that Kretschmann teaches to visualize the nearest automation component in col. 6, lns. 46-49. Applicants respectfully disagree. Kretschmann discloses the visualization of a software program that is run on a specific automation component

in form of ladder-logic representation. The system can highlight a particular malfunctioning component of that software. See Fig. 8 and col. 6, lns. 46-55. However, the system does not analyze and display all the automation components with whom communication is established and particularly indicate the automation system that is nearest to the operator of the handheld device. Kretschmann furthermore, does merely disclose to identify the position of the operator by GPS signals or to use bar codes to identify automation components. See col. 6, lns. 56-67. However, the limitations of the amended independent claims are neither disclosed nor suggested.

Claim rejections 35 USC §103

The dependent claims include all the limitations of independent claims 1 or 12 and are therefore patentable at least to the extent of independent claim 1 or 12, respectively. Applicants, thus, would like to defer any argumentation with respect to these claims at this time.

CONCLUSION


The application as defined in the pending claims is patentable under 35 U.S.C. §102 and §103 in view of the cited prior art. Therefore, applicants respectfully request withdrawal of the rejection and allowance of all pending claims.

Applicants do not believe that any other fees are due at this time; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Commissioner is authorized to deduct the fees from Deposit Account No. 02-0383, (*formerly Baker & Botts, L.L.P.*) Order Number 071308.0240

Respectfully submitted,

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